



COMMERCIAL BOARD OF ADJUSTMENT

DECISIONS

Wednesday, April 4, 2012
10:00 AM
1000 Throckmorton
City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102

Handwritten signature
4/05/12

BOARD MEMBERS:

Car Logan (Alternate)
Wendy Vann Roach
Gene Miers
Norris Fletcher
Jake Petras
Michael Wellbaum, Chair
James Hill
Wade Chappell (Alternate)
Johanna McCully-Bonner, Vice Chair
Marlene Beckman

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I. 9:00 A.M. WORK SESSION

Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 10:00 A.M. PUBLIC HEARING

Council Chamber

A. Approval of Minutes of the March 7, 2012 Hearings

APPROVED
6-0-2

B. Cases on Today's Agenda

III. 12:00 P.M. LUNCH AND STAFF BRIEFING

Pre-Council Chamber

A. Telecommunication Tower Ordinance.....Staff

1:00 P.M. CONTINUATION OF PUBLIC HEARING

Council Chamber

ASSISTANCE AT THE PUBLIC MEETINGS:

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



B. Continued Cases:

- 1. BAC-12-021** **McCart Forest, LLC by Suzan Kedron, Jackson Walker LLP** **CD9**
3125 McCart Ave. & 3120 Forest Park Blvd.

 - a. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with four (4) stories in height where a maximum of three (3) story building height is allowed, excessive by one (1) story.
APPROVED 8/0
 - b. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with seventy two (72) dwelling units per acre where a maximum of forty (40) dwelling units per acre are allowed, excessive by thirty two (32) dwelling units per acre for McCart tract.
APPROVED 8/0
 - c. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with sixty eight (68) dwelling units per acre where a maximum of forty (40) dwelling units per acre are allowed, excessive by twenty eight (28) dwelling units per acre for Forest Park tract.
APPROVED 8/0
- 2. BAC-12-026** **Cowtown Chowdown Food Park by Charlie Flores** **CD2**
1100 N. Main St.

 - a. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food park on a vacant lot. **STIPULATING FIVE (5) YEARS.**
APPROVED 8/0
 - b. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food park on a vacant lot without removing the vending units daily.
APPROVED 8/0
 - c. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of twenty (20) mobile food vending units where a maximum of one (1) mobile food vending unit is allowed, excessive by nineteen (19) mobile food vending units.
APPROVED 8/0
 - d. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food vending park providing approximately twenty six (26) portable tables where a maximum of one (1) portable table is allowed, excessive by approximately twenty five (25) portable tables.
APPROVED 8/0



3. **BAC-12-027** **James Parkinson Family Trust by I.D Associates, Inc.** **CD3**
4613 S. Hulen St.

- a. Request a **VARIANCE** in a "F" General Commercial District to permit the installation of an illuminated detached sign of approximately two hundred and ninety five (295) square feet signage area where a maximum of one hundred and seven (107) square feet signage area is allowed, excessive by approximately one hundred and eighty eight (188) square feet.

CONTINUED TO MAY 2, 2012 8/0

- b. Request a **VARIANCE** in a "F" General Commercial District to permit the installation of an illuminated detached sign providing approximately thirty seven (37) square feet non-illuminated materials in the sign face area where a minimum of approximately forty seven (47) square feet non-illuminated materials are required, deficient by approximately ten (10) square feet.

CONTINUED TO MAY 2, 2012 8/0

C. Continued Cases:

1. **BAC-12-028** **TBTX Holdings, LLC by Robert Wagner** **CD7**
12494 NW Hwy 287

- a. Request a **SPECIAL EXCEPTION** in a "PD-918(I)" Planned Development District to permit the storage of a portable storage container on a vacant lot for a period of five (5) years.

DENIED WITHOUT PREJUDICE 8/0

- b. Request a **VARIANCE** in a "PD-918(I)" Planned Development District to permit the storage of a portable storage container without providing the required screening fence.

DENIED WITHOUT PREJUDICE 8/0

2. **BAC-12-029** **Southwest Christian School, Inc.** **CD6**
by LNS Legacy National Signs, Inc.
6801 Dan Danciger Rd.

- a. Request a **VARIANCE** in a "C" Medium Density Multifamily District to permit to install a non-illuminated attached sign with a signage area of approximately sixty five (65) square feet where a maximum of thirty (30) square feet signage area is allowed, excessive by approximately thirty five (35) square feet.

APPROVED 8/0

3. **BAC-12-030** **Irma Macias by Edgar Macias** **CD2**
2701 N. Main St.

- a. Request a **VARIANCE** in a "MU-2" High Intensity Mixed-Use District to permit the construction of a building addition providing zero (0) percent clear glazing where a minimum of forty (40) percent clear glazing is required, deficient by forty (40) percent along 27th St.

APPROVED 8/0



4. **BAC-12-031** **TMB Properties LLC by Kendall Carew** **CD9**
3236 Collinsworth St.
- a. Request a **VARIANCE** in a "I" Light Industrial District to permit the operation of a mobile food park on a vacant lot.
DENIED WITHOUT PREJUDICE 8/0
- b. Request a **VARIANCE** in a "I" Light Industrial District to permit the operation of a mobile food park on a vacant lot without removing the vending units daily.
DENIED WITHOUT PREJUDICE 8/0
- c. Request a **VARIANCE** in a "I" Light Industrial District to permit the operation of a mobile food park adjacent to a residential use.
DENIED WITHOUT PREJUDICE 8/0
- d. Request a **VARIANCE** in a "I" Light Industrial District to permit the operation of ten (10) mobile food vending units where a maximum of one (1) mobile food vending unit is allowed, excessive by nine (9) mobile food vending units.
DENIED WITHOUT PREJUDICE 8/0
- e. Request a **VARIANCE** in a "I" Light Industrial District to permit the operation of a mobile food vending park providing approximately eleven (11) portable tables where a maximum of one (1) portable table is allowed, excessive by approximately ten (10) portable tables.
DENIED WITHOUT PREJUDICE 8/0
5. **BAC-12-033** **MHI Partnership Ltd.** **CD7**
10400 Winding Passage Way
- a. Request a **VARIANCE** in a "A-5" One-Family District to permit the continued use of a construction trailer within three hundred (300) feet of an occupied residence for a period of two (2) years.
CONTINUED TO MAY 2, 2012 8/0
6. **BAC-12-034** **Alvin Luskey by James Moore** **CD9**
2700 W. 7th St.
- a. Request a **VARIANCE** in a "MU-2" High Intensity Mixed-Use District to permit the operation of six (6) mobile food vending units where a maximum of one (1) mobile food vending unit is allowed, excessive by five (5) mobile food vending units.
MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2
- b. Request a **VARIANCE** in a "MU-2" High Intensity Mixed-Use District to permit the operation of a mobile food park without removing the vending units daily.
MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2



7. **BAC-12-035** **Hillwood Alliance Residential, LP by Peloton Land Solutions** **CD2**
9544- 9624 Sinclair St., 9520-9548 & 4305-4413 Bewley Ct., 9513,
9517, 9533 Peat Ct.
- a. Request a **VARIANCE** in a "A-5" One-Family District to permit the construction of new buildings with a lot coverage of approximately fifty six percent (56%) where a maximum of fifty percent (50%) lot coverage is allowed, excessive by approximately six percent (6%).
- APPROVED 8/0**
8. **BAC-12-036** **Chesapeake Land Dev. Co. by Texas Midstream Gas Services** **CD8**
2298 E. 4th St.
- a. Request a **SPECIAL EXCEPTION** in a "PD-310" Planned Development/Specific Use for multifamily and commercial with stipulations to permit to continued use of a natural gas compressor station. **STIPULATING FIVE (5) YEARS.** *time limit*
- APPROVED 8/0**
9. **BAC-12-037** **Ossie M. Brooks by Sumitra Lewis** **CD5**
2116 Amanda Ave.
- a. Request a **SPECIAL EXCEPTION** in a "A-5" One- Family District to permit the continued use of a daycare for thirty eight (38) children for an additional 5 years.
- APPROVED 8/0**
- b. Request a **VARIANCE** in a "A-5" One- Family District to permit the continued use of a daycare without providing the required six (6) foot screening fence.
- APPROVED 8/0**
10. **BAC-12-038** **TO BE HEARD ON May 02, 2012**



11. BAC-12-039

D S L H Inc. by Mike Hunter
100 E. Loop 820

CD4

- a. Request a **SPECIAL EXCEPTION** in a "G" Intensive Commercial District to permit an electronic changeable copy sign on a freeway sign and on a monument sign respectively.

APPROVED 7/1

- b. Request a **VARIANCE** in a "G" Intensive Commercial District to permit an illuminated freeway sign providing approximately forty eight (48) feet in height where a maximum of thirty five (35) feet height is allowed, excessive by approximately thirteen (13) feet in height.

APPROVED 8/0

- c. Request a **VARIANCE** in a "G" Intensive Commercial District to permit an illuminated freeway sign providing approximately twelve (12) square feet of non-illuminated materials in the sign face area where a minimum of thirty five (35) square feet non-illuminated materials in the sign face area is required, deficient by approximately twenty three (23) square feet.

APPROVED 8/0

- d. Request a **VARIANCE** in a "G" Intensive Commercial District to permit an illuminated monument sign providing approximately thirty (30) feet in height where a maximum of eight (8) feet height is allowed, excessive by approximately twenty two (22) feet in height.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 0/8

- e. Request a **VARIANCE** in a "G" Intensive Commercial District to permit an illuminated monument sign providing approximately three (3) feet ground contact where a minimum of approximately six (6) feet ground contact is required, deficient by approximately three (3) feet.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 0/8

12. BAC-12-040

TO BE HEARD ON May 02, 2012



13. BAC-12-041

Karmal Holdings by Quik Trip Corporation
1101 Hemphill St.

CD9

- a. Request a **VARIANCE** in a "NS-T5" Near Southside District to permit the construction of a new building of one (1) story in height where a minimum two (2) stories building height is required, deficient by one (1) story building height.

APPROVED 7/0/1

- b. Request a **VARIANCE** in a "NS-T5" Near Southside District to permit the construction of a new building providing approximately twenty seven (27) foot front yard setback where a maximum of twenty (20) foot front yard setback is allowed, excessive by approximately seven (7) foot front yard setback along Rosedale St.

APPROVED 7/0/1

- c. Request a **VARIANCE** in a "NS-T5" Near Southside District to permit the construction of a canopy providing approximately thirty six (36) feet and forty two (42) feet front yard setbacks where a maximum of twenty (20) foot front yard setback is allowed, excessive by approximately sixteen (16) and twenty two (22) feet along Grainger St. and Rosedale St respectively.

APPROVED 7/0/1

- d. Request a **VARIANCE** in a "NS-T5" Near Southside District to permit the usage of alley for maneuvering into parking spaces.

APPROVED 7/0/1

IV. ADJOURNMENT: 1:26 P.M.